UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEDIA GLOW DIGITAL, LLC and TIMES SQUARE LED, LLC,	
Plaintiffs,	**ORDER**
- against -	16 Civ. 7907 (PGG)
PANASONIC CORP. OF NORTH AMERICA,	
Defendant.	

PAUL G. GARDEPHE, U.S.D.J.:

For the reasons stated at today's conference, Plaintiffs' motions in limine (Dkt.

No. 245) are granted in part and denied in part, and Defendant Panasonic Corporation of North

America's motions in limine (Dkt. No. 249) are granted in part and denied in part.

Plaintiff Media Glow Digital, LLC has consented to dismissal of its breach of

warranty claim against Defendant Panasonic. (See Proposed Joint Pretrial Order (Dkt. No. 252)

at 6 n.1) Accordingly, that claim is dismissed.

By **March 19, 2021,** Plaintiffs and Defendant Panasonic will submit supplemental
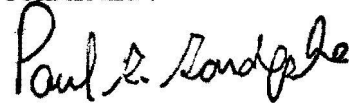
briefing concerning the following:

(1) whether the expenses Plaintiff Times Square LED, LLC seeks to recover that were allegedly incurred in reliance on contractual warranties constitute direct or consequential damages;

(2) whether the Millennium Agreement is clear and unambiguous as to Panasonic's obligation to independently determine air rights, and a summary of the parol evidence that is relevant to this issue;

(3) whether the Millennium Agreement and the DoubleTree Agreement (the "Agreements") are clear and unambiguous as to (a) Panasonic's right to subcontract work, and (b) the meaning of the term "affiliated companies," and a summary of the parol evidence that is relevant to these issues;

(4) whether the DoubleTree Agreement is clear and unambiguous as to the meaning of the phrase "manage all subcontractors," and a summary of the parol evidence concerning this issue; and

(5) whether Plaintiffs waived any objection to Panasonic's use of subcontractors in connection with the Millennium Agreement and/or the DoubleTree Agreement.

The Clerk of Court is directed to terminate the motions (Dkt. Nos. 245, 249).

Dated: New York, New York
       March 11, 2021   SO ORDERED.

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                                               Paul G. Gardephe
                                               United States District Judge